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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 09cr2443-L
)	
Plaintiff,)	PRELIMINARY ORDER
)	OF CRIMINAL FORFEITURE
)	
v.)	
)	
DOUGLAS STANTON LEGRAND,)	
)	
Defendant.)	
_____)	

WHEREAS, in the Indictment in the above-captioned case, the United States sought forfeiture of all right, title and interest in specific properties of the above-named Defendant pursuant to Title 18, United States Code, Section 924(d), as properties involved in the commission of the offenses in violation of Title 18, United States Code, Section 922(g)(9) and Section 924(a)(2), as charged in the Indictment; and

WHEREAS, on or about November 23, 2009, the above-named Defendant, DOUGLAS STANTON LEGRAND ("Defendant"), pled guilty to the one-count Indictment before District Court Judge M. James Lorenz, which plea included consent to the criminal forfeiture allegation pursuant to Title 18 as set forth in the Indictment; and

WHEREAS, by virtue of the facts set forth in the plea agreement, the United States has established the requisite nexus between the forfeited properties and the offenses; and

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1 WHEREAS, by virtue of said guilty plea, the United States is now entitled to possession
 2 of said properties pursuant to 18 U.S.C. § 924(d), and Rule 32.2(b) of the Federal Rules of
 3 Criminal Procedure; and

4 WHEREAS, pursuant to Rule 32.2(b), the United States having requested the authority
 5 to take custody of the following properties which were found forfeitable by the Court, namely:

- 6 (A) One Winchester model 1300, .20 gauge shotgun, bearing serial number
 7 L3449009;
- 8 (B) One Beretta Pietro, S.P.A., 7.65 mm pistol, bearing serial number
 9 275830;
- 10 (C) One Remington Arms, .12 gauge shotgun, bearing serial number 704618;
- 11 (D) One Ithaca model 37, .12 gauge shotgun, no serial number;
- 12 (E) One Remington Arms model 700, .223 caliber rifle, bearing serial
 13 number B6428897;
- 14 (F) One Marlin model 81 DL, .22 caliber rifle, no serial number; and

15 WHEREAS, the United States, having submitted the Order herein to the Defendant
 16 through his attorney of record, to review, and no objections having been received;

17 Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

18 1. Based upon the guilty plea of the Defendant, the United States is hereby
 19 authorized to take custody and control of the following assets, and all right, title and interest of
 20 Defendant DOUGLAS STANTON LEGRAND in the following properties are hereby
 21 forfeited to the United States for disposition in accordance with the law, subject to the
 22 provisions of 21 U.S.C. § 853(n):

- 23 (A) One Winchester model 1300, .20 gauge shotgun, bearing serial number
 24 L3449009;
- 25 (B) One Beretta Pietro, S.P.A., 7.65 mm pistol, bearing serial number
 26 275830;
- 27 (C) One Remington Arms, .12 gauge shotgun, bearing serial number 704618;
- 28 (D) One Ithaca model 37, .12 gauge shotgun, no serial number;
- (E) One Remington Arms model 700, .223 caliber rifle, bearing serial
 number B6428897;

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1 (F) One Marlin model 81 DL, .22 caliber rifle, no serial number.

2 2. The aforementioned forfeited assets are to be held by the United States
3 Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATFE”) in its secure custody and
4 control.

5 3. Pursuant to Rule 32.2(b) and (c), the United States is hereby authorized to begin
6 proceedings consistent with any statutory requirements pertaining to ancillary hearings and
7 rights of third parties.

8 4 Pursuant to the Attorney General’s authority under Section 853(n)(1) of Title 21,
9 United States Code, Rule 32.2(b)(3), Fed. R. Crim. P., and Rule G(4) of the Supplemental Rules
10 for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States forthwith shall
11 publish for thirty (30) consecutive days on the Government’s forfeiture website,
12 www.forfeiture.gov, notice of this Order, notice of the ATFE’s intent to dispose of the properties
13 in such manner as the Attorney General may direct, and notice that any person, other than the
14 Defendant, having or claiming a legal interest in the above-listed forfeited properties must file
15 a petition with the Court within thirty (30) days of the final publication of notice or of receipt
16 of actual notice, whichever is earlier.

17 5. This notice shall state that the petition shall be for a hearing to adjudicate the
18 validity of the petitioner’s alleged interest in the properties, shall be signed by the petitioner
19 under penalty of perjury, and shall set forth the nature and extent of the petitioner’s right, title
20 or interest in the forfeited properties and any additional facts supporting the petitioner’s claim
21 and the relief sought.

22 6. The United States may also, to the extent practicable, provide direct written
23 notice to any person known to have alleged an interest in the properties that are the subject of
24 the Preliminary Order of Criminal Forfeiture.

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6. Upon adjudication of all third-party interests, this Court will enter an Amended Order of Forfeiture pursuant to 18 U.S.C. § 924, in which all interests will be addressed.

DATED: December 21, 2009



M. James Lorenz
United States District Court Judge